



State of Tennessee Department of Children's Services

## ***Administrative Policies and Procedures: 14.7***

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### **Subject: Classification and Closure of Child Protective Services Investigations**

**Supersedes: DCS 14.7, 01/01/02**

**Local Policy: No**

**Local Procedures: No**

**Training Required: No**

**Applicable Practice Model Standard(s): Yes**

**Approved by:**

**Effective date: 04/01/01**

**Revision date: 01/01/05**

### **Application**

To All Department Of Children's Services Case Managers and Team Leaders with Child Protective Services Responsibilities.

### **Authority:**

TCA 37-1-401– 414, 37-1-601, 37-1-604, 37-1-606, 37-1-607, 37-5-106, 42 U.S.C. 5101, et seq. *Child Abuse Prevention and Treatment Act (CAPTA)*

### **Policy**

Each investigation must be completed within sixty days (60) of the date the report was received. This includes completing all required investigative activities, staffings with appropriate parties such as the Child Protective Investigative Team (CPIT) and the Child Abuse Review Team (CART), classifying the outcome of the allegations, documentation of all case activities, and approval by the team leader.

### **Procedures**

#### **A. Classification of outcomes**

1. After all investigative tasks are completed, the information gathered will be weighed to determine if there is sufficient information to answer the following questions:
  - a) Did child abuse or neglect occur or did a potentially harmful situation exist?
  - b) If so, who was responsible?

2. In cases that do not involve CPIT, the case manager, with the approval of the team leader, shall decide upon the appropriate classification.

**B. Staffing with the  
Child Protective  
Investigation Team**

1. The case manager shall ensure that all relevant portions of form *CS-0561, Child Protective Investigative Team Review* are completed, including a classification recommendation approved and signed by the Team Leader. At this time, the DCS part of the investigation shall be closed with the understanding that it will be reclassified if there is a disagreement among the CPIT members when reviewed by the CPIT Team.
2. The case manager shall discuss the classification with all members of the investigative team, and each member shall be polled to determine whether there is agreement with the recommended classification.
3. Form *CS-0561, Child Protective Investigative Review* shall then be updated to indicate the outcome of the staffing and whether each CPIT team member agrees or disagrees with the recommended classification. Any disagreeing CPIT member's concerns about the classification shall be noted on form *CS-0561, Child Protective Investigative Review*. This discussion shall be documented on in TN Kids case recordings.
4. If the majority of CPIT members disagree with the classification recommended by the case manager, the team leader shall request a review of the case by the regional administrator or his/her designee with experience in the child protective services program.
  - a) The case manager shall inform CPIT members of their right to submit, through the team leader, additional information to the regional administrator or his/her designee for consideration.
  - b) The regional administrator or his/her designee shall conduct a review within two weeks of the request and make the final classification decision and send written notification to the team leader within 10 days of the review. The written notification shall include:

- ◆ Case name,

- ◆ Date of intake,
  - ◆ Name of case manager,
  - ◆ Name of alleged victim,
  - ◆ Allegation,
  - ◆ Name of alleged perpetrator,
  - ◆ Date of CPIT staffing,
  - ◆ Classification recommended by case manager,
  - ◆ Classification recommended by majority of CPIT,
  - ◆ Classification decision of regional administrator or his/her designee,
  - ◆ The notification shall be signed and dated by the regional administrator.
- c) The team leader shall notify all CPIT members of the classification assigned by the regional administrator or his/her designee.

**C. Selecting a classification**

Each allegation will be classified according to one of the following options:

5. **Allegation Indicated, Perpetrator Indicated.** This classification is appropriate when there is sufficient information and evidence to support the opinion that:
- a) The alleged incident occurred or harmful situation existed, and
  - b) The alleged perpetrator named in the report was found to be responsible for the child's condition.
6. **Allegation Indicated, Perpetrator Unfounded.** This classification is appropriate when there is sufficient information and evidence to support the opinion that:
- a) The alleged incident occurred or harmful situation existed, but
  - b) The alleged perpetrator named in the report was not

found to be responsible for the child's condition.

7. **Allegation Indicated, Perpetrator Unknown.** This classification is appropriate when there is sufficient information and evidence to support the opinion that:
  - a) The alleged incident occurred or harmful situation existed, but
  - b) No alleged perpetrator was named in the report or identified through the investigation.
  - c) If the case involves a removal prior to classifying, case managers shall confer with regional legal staff to ensure that all resources have been exhausted to reach a conclusion regarding the identity of the alleged perpetrator(s). Additional support services may be obtained through central office.
8. **Allegation Unfounded, Perpetrator Unfounded.** This classification is appropriate when:
  - a) There is insufficient information and evidence to support the opinion that the alleged incident occurred or harmful situation existed, and
  - b) The alleged perpetrator named in the report was not found to be responsible for the reported maltreatment.
9. **Allegation Indicated, Sexually Reactive Child.** This classification is appropriate when:
  - a) There is sufficient information and evidence to support the opinion that sexual contact did occur, but
  - b) The dominant figure in that contact was a child under the age of ten (10) years.
10. **Unable to Complete.** This classification is appropriate when:
  - c) The case manager is unable to locate the alleged victim and his or her family in spite of good faith efforts to find them, or
  - d) The incident occurred in another state and DCS participated in investigative activities or offered services, but has no ability or authority to formally

identify a perpetrator.

**D. Determination of severe abuse**

1. The case manager shall determine if each indicated allegation meets the criteria for severe child abuse.
2. The determination shall be approved by the team leader and documented for each indicated allegation on form *CS-0740, CPS Investigation Summary and Classification Decision of Child Abuse/Neglect Referral* and on TN Kids screens, by entering "Yes" or "No" in the box labeled "severe abuse".

**E. Documentation of classification decisions**

The case manager shall document the classification decision and supporting information on the form *CS-0740, CPS Investigation Summary and Classification Decision of Child Abuse/Neglect Referral* and on the appropriate TN Kids screens.

**F. Notifications**

1. The case manager shall provide the juvenile court with a complete written and signed summary of the results of every child abuse and neglect investigation within seven (7) days after the classification decision on *CS-0740, CPS Summary and Classification Decision of Child Abuse/Neglect Referral*. The case manager shall document in the appropriate TN Kids screen the date that this form was sent.
2. The case manager shall provide the district attorney general with a written summary of the results of every indicated severe child abuse investigation within seven (7) days after the investigative classification decision has been made on *CS-0740, CPS Summary and Classification Decision of Child Abuse/Neglect Referral*. The case manager shall document in the appropriate TN Kids screen the date that this form was sent.
3. If the reporter of sexual abuse has requested to be notified when an investigation has been completed, the case manager must notify the reporter by letter within ten (10) days of making the classification. The letter must adhere to all confidentiality requirements and may not include the findings of the investigation. The case manager shall document in the case recording the date that this letter was sent.

4. A copy of the completed CS-0740, *CPS Summary and Classification Decision of Child Abuse/Neglect Referral* shall be sent to the regional legal office within seven (7) days of the classification decision.

**G. Notification of indicated perpetrator's right to file review**

In every investigation that results in a classification of "allegation indicated, perpetrator indicated", the person classified as the indicated perpetrator must be notified of his or her right to a file review as per DCS Policy [14.10 Child Protective Services Commissioner's Case File Review of Indicated Neglect or Abuse](#).

**Exception:** The case manager shall follow DCS Policy [14.11, Child Protective Services Due Process](#), when:

1. An allegation of sexual abuse, physical abuse, or any other allegation that meets the legal definition of severe abuse has been indicated, and
2. The person named as the indicated perpetrator has access to children through his or her employment or volunteer activity.

**H. Referral to early intervention services**

In every investigation that results in a classification of "allegation indicated" on a child under the age of three (3), the case manager shall make a referral for screening and eligibility determination to the Tennessee Early Intervention Services (TEIS) program through the Tennessee Department of Education (DOE) as follows:

1. The case manager will call 1-800-852-7157, a line dedicated by DOE for this type of referral, and provide the requested information that includes:
  - a) The child's name, date of birth and contact information;
  - b) The biological and/or custodial parent's name and contact information;
  - c) The foster parent's name and contact information, when applicable; and
  - d) The case manager's name and contact information.

2. The case manager shall notify the child's parents/foster parents of the referral and shall document that the referral was made in TN Kids.

**I. Staffing by the  
Child Abuse  
Review Team**

All indicated cases of child abuse must be presented to the Child Abuse Review Team (CART) for its review and recommendations prior to the end of the sixty day (60) time frame for investigation. The date that the case was reviewed and a list of any recommendations shall be documented in the case recording. All actions taken in response to the CART recommendations shall be documented in the case recording. If the CART recommendations are not followed, the case manager shall document an explanation in the TN Kids case recording.

**J. Case file  
documentation**

**1. Forms and Recording**

The following forms and information shall be completed and included in the CPS investigative file:

- a) Form *CS-0561, Child Protective Services Investigative Review* to document the findings of the Child Protective Investigative Team
- b) Form *CS-0740, Child Protective Services Investigation Summary and Classification Decision of Child Abuse/Neglect Referral* to document the classification decision
- c) Form *CS-0770, Child Protective Services Strength and Risk Assessment* to document the risk issues
- d) Case Recordings to document the following on each contact:
  - ◆ Date of contact
  - ◆ Type of contact (home visit, office visit, telephone conversation, written correspondence sent, etc.)
  - ◆ Name of the person(s) contacted
  - ◆ Purpose of the contact
  - ◆ List of issues discussed and client's response to those issues

- ◆ Summary of the substance of the contact
  - ◆ Additional issues/activities identified
2. The dates that written notifications are sent to the Juvenile Court, the District Attorney General, and the reporter shall be documented in the case recording.
  3. The final entry in the case recording shall reflect the status of the case as one of the following:
    - a) Case closed, no services required;
    - b) Case closed and family referred to services available in the community;
    - c) Case referred to non-custodial or Family Support Services within DCS;
    - d) Case transferred, child entered state custody.
  4. In addition to the above documents, the case manager shall obtain and maintain in the office a copy of other pertinent documents pertaining to each specific case. Such documents may include:
    - a) Verification of medical findings,
    - b) Report of psychological evaluation or treatment,
    - c) Reports from any other service providers,
    - d) Photographs and audio and video tapes,
    - e) A signed Authorization/Consent for Release of Information,
    - f) Copies of notification cover letters sent to the Juvenile court, District Attorney General, the professional reporter, and the indicated perpetrator(s), or
    - g) Any other documents obtained in the course of the investigation.



- K. Investigation incomplete at 60 days** State law mandates that CPS investigations must be completed within sixty (60) days. If the investigation goes beyond sixty (60) days, the team leader shall document in the TN Kids case recording an explanation for the delay, along with a plan for completing the investigation as quickly as possible.
- L. Supervisory approval of closure** The case manager shall obtain the approval of the team leader on the classification decision, the entire investigative file, and the closure of the investigation. The team leader's signature shall signify that:
1. All documentation is complete;
  2. All information and decisions have been reviewed; and
  3. The team leader agrees with those decisions.

## **Forms**

CS-0561	Child Protective Investigative Review
CS-0740	CPS Investigation Summary and Classification Decision of Child Abuse/Neglect Referral
CS-0770	Child Protective Services Strength And Risk Assessment

## **Collateral Documents**

*None*

## **Standards**

DCS Practice Model Standards – 11-307A  
DCS Practice Model Standards – 11-308A

## **Glossary**

<b><i>Term</i></b>	<b><i>Definition</i></b>
<b><i>Child Abuse Review Team (CART):</i></b>	A legally mandated multi-disciplinary advisory team to provide case reviews and consultation for all cases in which DCS reports to the juvenile court a finding of indicated child abuse. The team is composed of at least a representative of DCS, who serves as team coordinator; a physician; a psychologist or psychiatrist; a social worker; a representative of the local juvenile court, if requested by the juvenile judge; a representative of the local law enforcement agency, if requested by the district attorney general after notification. DCS chooses its representatives and all other persons on the team except for the representatives of the local law enforcement agency and the local juvenile court, who are chosen by the chief officer of their respective operating units.
<b><i>Child Protective Investigative Team (CPIT):</i></b>	A legally mandated group that conducts an investigation of alleged sexual abuse. A CPIT includes one DCS Case Manager, one representative from the District Attorney's office, one juvenile court officer or investigator from a court of competent jurisdiction, one properly trained law enforcement officer with county-wide jurisdiction from the county where the child resides or where the abuse/neglect occurred, the director of the Child Advocacy Center or designee, and one representative from the mental health profession (optional).